

Appl. No. : 10/606,265
Filed : June 25, 2003

REMARKS

In response to the Office Action mailed November 3, 2004, Applicant respectfully requests the Examiner to reconsider the above-captioned patent application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 4-48 remain pending. Claims 1-3 have been cancelled without prejudice or disclaimer, and new Claims 4-48 have been added.

In the Office Action mailed November 3, 2004, the Examiner disposed of the claims as follows:

CLAIM NOS.	DISPOSITION/REJECTION		
	BASIS	PRIMARY REFERENCE	SECONDARY REFERENCE(S)
1-3	102(b)	Axelson US 2,846,165	n/a
1, 3	102(b)	Heal US 2,418,301	n/a
3	112 ¶ 2	n/a	n/a

The Examiner also objected to the disclosure, abstract and Claims 1 and 3 for various informalities.

Claims 1-3

Claims 1-3 stand rejected as anticipated by the prior art of record. However, Claims 1-3 have been cancelled without prejudice or disclaimer, thereby mooted the Examiner's rejections.

New Claims 4-48

New Claims 4-48 are presented herein, and recite distinctions over the prior art of record, as will be readily evident to the Examiner. Applicant respectfully requests the Examiner to consider and allow the new claims.

Disclosure, Abstract

In response to the Examiner's objections to the disclosure and abstract, Applicant submits amendments herein which are believed to address the Examiner's objections.

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Etrich Reference

Applicant notes the Examiner's comments with regard to the Etrich reference listed in the IDS of October 2003. This reference was inadvertently listed, as it is not relevant to the present application.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, issuance of a Notice of Allowance is most earnestly solicited.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby. Any arguments in support of patentability and based on a portion of a claim should not be taken as founding patentability solely on the portion in question; rather, it is the combination of features or acts recited in a claim which distinguishes it over the prior art.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Mark J. Kertz at (949) 721-6318 to resolve such issue(s) promptly.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 3, 2005

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